THE HIGH COURT OF UTTARNCHAL AT NAINITAL

Writ Petition (S/B) No. 575 of 2002

Dr.Dharampal S/O Sri Om Prakash,
R/o A-H-16 Shalimar Bagh, Delhi 33.

… Petitioner.

Versus

1. The Gurkul Kangri Vishwavidyalaya, Haridwar through, its Chancellor Sri Harbans Lal Sharma.
2. The Visitor Gurukul Kangri Vishwavidyalaya, Haridwar through the Registrar.
3. Principal Zakir Hussain Post Graduate (Evening) College, Jawahar Lal Nehru Marg, New Delhi-2.

… **Respondents.**

Sri Alok Singh and Sri L.P. Naithani, Senior Advocates, learned counsel for the petitioner.
Sri Arvind Vashist, Adv. learned counsel for the respondents.

Coram: Hon'ble P.C. Verma, J.
Hon'ble B.S. Verma, J.

Dated July 13, 2006

Heard learned counsel for the rival parties and perused the entire material on record.

Learned counsel for the petitioner does not press the writ petition, but only seeks relief to the effect that whatever dues legally are payable to the petitioner, the same may be directed to be paid by the respondents.

We are hesitating in issuing any mandamus to the respondents as prima facie in our opinion, the Gurukul Kangri University is not the instrumentality of the State within the meaning of Article 12 of the Constitution. However, we are not expressing our opinion finally on this issue. Since Sri Arvind Vashisth, learned counsel for the University assured us that whatever legal dues

standing to the credit of the petitioner payable by the Gurukul Kangri University, that shall be paid.

Accordingly we disposed of the writ petition in the aforesaid terms.

(B.S. Verma, J.) **(P.C. Verma, J.)**

RCP